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STATE OF WISCONSIN
BEFORE THE PHARMACY EXAMINING BOARD

IN THE MATTER OF THE
DISCIPLINARY PROCEEDINGS AGAINST

KEVIN M. PAMPUCH, R.Ph.,
RESPONDENT.

ORDER
98 PHM 66
LS9906165PHM

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Kevin M. Pampuch, R.Ph.
8630 S. Clearwater Ct. Apt # 2302
Oak Creek, WI 53154

Pharmacy Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

On March 19, 1999, the Board approved a Stipulation and entered a Final Decision and Order which provided, among other things, that respondent's license was suspended but that the suspension was stayed to permit respondent to demonstrate fitness to practice and progress in recovery from chemical dependency. The Order provided that respondent was to enter a treatment program, to submit periodic samples of body fluids for testing and periodic reports from his health care provider and employer regarding his progress.

On June 16, 1999, respondent's stay was set to expire. The matter is before the Board on June 16, 1999, on the issue of whether the stay should be extended for another three months. The Board received information from the Department Monitor to the effect that

FINDINGS OF FACT

1. Respondent, Kevin M. Pampuch, R.Ph. (dob 4/22/1973) is and was at all times relevant to the facts set forth herein a registered pharmacist licensed in the State of Wisconsin pursuant to license #12635, originally granted on 4/18/1997.
2. Respondent has not submitted any evidence that he has entered any treatment program. He has not

submitted any of the required reports in this matter, attesting to his continued sobriety and to compliance with the monitoring and treatment provisions of the Board's Order.

CONCLUSIONS OF LAW

A. The Wisconsin Pharmacy Examining Board has jurisdiction over this matter and authority to take disciplinary action against the Respondent pursuant to §450.10(1), Wis. Stats. and ch. Phar 10, Wis. Adm. Code .

B. The facts set forth in ¶2, above, constitute a violation of the existing order in this matter, and are grounds for not renewing the stay of suspension of respondent's license.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that effective on the date of this Order, the suspension of the license of respondent is not stayed, and therefore is in effect as of the date of this Order. Respondent shall not be in the professional area of any pharmacy while his license is suspended, and shall forthwith return his credentials to the Department Monitor.

IT IS FURTHER ORDERED: that respondent may apply for a stay of suspension at such time as he is in compliance with the Board's Order. At that time, the Board shall consider whether to stay the suspension, on the terms and conditions set forth in the Order of March, 1999.

Dated this June 16, 1999.

PHARMACY EXAMINING BOARD

By: s/ Daniel F. Luce

A Member of the Board